



George W. Bush Presidential Library and Museum

2943 SMU Boulevard, Dallas, TX 75205-2300

August 1, 2019

Jason Smathers
PO Box 55819
Boston, MA 02205-5819

Dear Mr. Smathers:

This letter is in further response to your Freedom of Information Act (FOIA) request dated January 20, 2014 for access to George W. Bush Presidential records pertaining to the use of Guantanamo Bay as a detention facility between 9/11/2001 and 1/20/2009. FOIA requests for George W. Bush Presidential records are processed and reviewed for access under provisions of the 1978 Presidential Records Act, as amended (PRA) (44 U.S.C. §§ 2201-2209), which incorporates the Freedom of Information Act (5 U.S.C. § 552) in substantial part.

We have had a recent release of records that were processed under FOIA and wanted to notify you that the following records may be of interest to you as they may pertain to your FOIA request. Approximately 688 pages of George W. Bush Presidential records related to this request have been opened. Of this total, 224 pages have been exempted from release in whole in compliance with the restrictions of the PRA and applicable FOIA exemptions, which specify what material may be released to the public. All necessary steps were taken to segregate and release non-exempt information. The 224 pages restricted from access, in whole, are listed along with the exemption categories below. Some pages may be restricted under more than one category. The remaining 464 pages are available, in whole.

P5 – 205 pages
(b)(7)(e) – 27 pages

A list of the PRA restrictions and FOIA exemptions, as well as a copy of the finding aid that describes the processed material is attached.

At this time, you have the right to file an administrative appeal of any George W. Bush Presidential records responsive to your FOIA request that have been withheld under a restriction category of the PRA, 44 U.S.C. §2204(a). The appeal must be submitted in writing to the Director, George W. Bush Library and Museum, 2943 SMU Boulevard, Dallas, TX 75205. You should also include a copy of your original request and our denial. Both your appeal letter and the envelope should be clearly marked "PRA/FOIA Appeal." To be considered timely, your appeal must be postmarked or electronically submitted within 90 calendar days from the date of this letter.

You also have the right to file an administrative appeal of any George W. Bush Presidential records responsive to your FOIA request that have been withheld under an exemption category of the FOIA, 5 U.S.C. §552(b) but have not been withheld under a restriction category of the PRA, 44 U.S.C. §2204(a). By filing an appeal, you give the agency a chance to reconsider your request and the agency's decision. To appeal a FOIA exemption, the appeal must be submitted in writing to the attention of the Deputy Archivist of the United States, c/o the George W. Bush Library and Museum, 2943 SMU Boulevard, Dallas, TX 75205. You should explain why you believe this response does not meet the requirements of

the FOIA and you should also include a copy of your original request and our denial. Your appeal letter and envelope should be clearly marked "FOIA Appeal." Your appeal must be postmarked or electronically submitted within 90 calendar days from the date of this letter. The Library will coordinate your appeal with the appropriate authority.

Since these are Presidential records administered in accordance with 44 U.S.C. §§2201-2209, NARA must notify the former and incumbent Presidents prior to the release of any information in response to these appeals. Once an appeal determination is made and the notification period has passed, we will contact you.


If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact our FOIA Public Liaison John Laster for assistance at: Presidential Materials Division, National Archives and Records Administration, 700 Pennsylvania Avenue, NW, Room G-7, Washington, DC 20408-0001; email at libraries.foia.liaison@nara.gov; telephone at 202-357-5200; or facsimile at 202-357-5941.

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road – OGIS, College Park, MD 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

The remaining pages are open for research. Historical records at NARA are not governed by the FOIA fee and fee waiver provisions in section 552(a)(4)(A)(vi). Accordingly, the George W. Bush Library does not provide fee waivers for copying. NARA charges standard reproduction fees for copying of historical records in accordance with our statutorily based fee schedule, codified at 44 U.S.C. § 2116(c). We will be happy to provide you with copies of the open and partially open records upon receipt of the reproduction fee of \$0.80 per page. You may also view the documents in our research room at the George W. Bush Library where a self-service copier is available for the price of \$0.25 a page. The Library accepts checks or money orders made out to the National Archives Trust Fund. When you provide a check as payment to the National Archives and Records Administration, please be advised that you authorize them to use the information from your check to make a one-time electronic funds transfer from your account or to process the payment as a check transaction. When NARA uses information from your check to make an electronic funds transfer, funds may be withdrawn from your account as early as the day we receive your payment, and you will not receive your check back from your financial institution. The Library also accepts Visa, Master Card, American Express, or Discover/Novus orders.

If you wish to order copies or need any further assistance, please contact our staff at 214-346-1557 or gwbush.library@nara.gov. Your FOIA case log number is 2014-0075-F. Please have this number accessible for reference during any future contact concerning this case.

Sincerely,


SHANNON JARRETT
Supervisory Archivist
George W. Bush Library and Museum

SJ: MAC